S.B.Cr.Misc. Bail App. No. 6038/2007
(Mange Ram Vs. State of Rajasthan)

Date of order : 11/12/2007

HON'BLE MR.H.R.PANWAR, J.

Mr. D.L.Mothsara for the petitioner.

Mr. Ashok Upadhyay, Public Prosecutor.

Heard learned counsel for the petitioner and the Public Prosecutor for the State. Perused the order impugned. I have carefully gone through the statement of prosecutrix recorded under Section 164 Cr.P.C.

The allegation of kidnapping the prosecutrix and subsequently subjecting her to forcible sexual intercourse having committed rape on her is against co-accused Ajay. In whole of the statement of the prosecutrix, the petitioner has not been named even.

Looking to the facts and circumstances of the case and having considered the oral arguments advanced by both the parties, without commenting on the merit of the case, I think it just and proper to enlarge the accused petitioner on bail.

Accordingly, this bail application filed under Sec. 439 Cr.P.C. is allowed and it is directed that petitioner Mange Ram S/o Tilok Chand be released on bail in FIR No. 316/07 P.S. Bhadra, provided he executes a personal bond for a sum of Rs. 20,000/- with two sound

and solvent sureties in the sum of Rs. 10,000/- each to the satisfaction of learned trial court for his appearance before that court on each and every date of hearing and whenever called upon to do so till the completion of the trial.

(H.R.PANWAR), J.

RP